

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

UNITED STATES OF AMERICA

*

CRIMINAL NO: 11-197

v.

*

SECTION: "H"

MICHAEL W. LEWALLEN

*

* * *

FACTUAL BASIS

If this case was to proceed to trial the Government would present credible testimony and reliable evidence to prove the following facts beyond a reasonable doubt;

On August 5, 2011, at approximately 5:15 p.m., Michael W. Lewallen ("Lewallen") walked into the Whitney National Bank at 4845 Veterans Memorial Boulevard, Metairie, Louisiana, approached the teller counter and demanded all the one hundred dollar bills and fifty dollar bills while stating words to the effect that he didn't want dye packs. The victim-teller complied with demand as Lewallen fit the description of the perpetrator, known through the media as the "Paw-Paw Bank Robber" who had committed a series of bank robberies over the previous weeks. After receiving the hundred dollar bills and fifty dollar bills, Lewallen then demanded the victim-teller to

hand over the ten dollar bills and twenty dollar bills as well. After receiving the second batch of bills, Lewallen thumbed through the currency before exiting the bank.

Lewallen was observed by a separate Whitney Bank employee enter a white Ford Focus automobile and head westbound on Veterans Memorial Boulevard. The Jefferson Parish Sheriff's Office was immediately notified. A short time later, Lewallen was stopped by a Jefferson Parish Sheriff's Office unit on Veterans Memorial Boulevard and detained for further investigation. The bank employee identified the Ford Focus as the vehicle she observed Lewallen enter after he exited the Whitney bank.

After being advised of his Miranda rights, Lewallen consented to a search of the Ford Focus. A search of the vehicle produced \$1,590 in United States currency as well as a grey t-shirt and baseball hat that matched those worn by Lewallen while robbing the Whitney bank. Further, an additional \$300 was seized from Lewallen's person at the time of his arrest as well as eyeglasses that matched those worn by Lewallen at the time of the bank robbery.

While Lewallen denied being involved in any bank robbery, when shown photos of the robber, Lewallen acknowledged "that looks like me." Also, as agents were counting the money seized from Lewallen and his vehicle, an agent asked Lewallen why he didn't use a demand note during this August 5, 2011, Whitney Bank robbery, Lewallen responded by stating "I don't know why I didn't use a note this time, it's up to you to figure that out."

An audit reflected that approximately one thousand nine hundred ten dollars (\$1,910.00) of bank funds were taken in the robbery. Deposits of the Whitney National Bank are insured by the Federal Deposit Insurance Corporation (FDIC).

Lewallen is 57 year old white male, approximately 5'10" tall, medium to heavy build, with grey hair. Prior to the August 5, 2011 Whitney bank robbery, four additional banks were robbed by Lewallen in a similar manner, through the use of a demand note. On June 10, 2011, Lewallen robbed the Whitney National Bank at 2609 Veterans Memorial Boulevard of \$1,500; on June 24, 2011, Lewallen robbed the Capitol One Bank at 1501 Veterans Memorial Boulevard of \$3,790; on July 8, 2011, Lewallen robbed the Whitney National Bank at 3060 North Causeway Boulevard of \$2,410; and on July 16, 2011, Lewallen robbed the Capitol One Bank at 2200 North Causeway Boulevard of \$3,963.

William J. Quinlan, Jr. (date)
Assistant United States Attorney

Cindy Cimino (date)
Attorney for Defendant

Michael W. Lewallen (date)
Defendant